

When do I address critical habitat in a Biological Assessment?

If critical habitat is located in the project action area it should be addressed. If critical habitat is designated for a species, but it is not in the action area, a simple statement of “there is no designated critical habitat for _____ in the action area” is sufficient.

How do I address critical habitat in a Biological Assessment?

The effects of the action on critical habitat should be described in terms of effects to applicable Primary Constituent Elements (PCEs) of the critical habitat. PCEs are the physical or biological features essential for the conservation of listed species. It is not acceptable to merely state, “The project will have no effect on the PCE’s”. The submittal must include an assessment of effects to individual PCE’s.

How do I find the PCEs?

PCEs are found in the proposed or final critical habitat rules published in the Federal Register. Links to the published rules containing PCEs for **salmon and steelhead critical habitat** may be found at <http://www.nwr.noaa.gov/ESA-Salmon-Listings/Salmon-Populations/Index.cfm>. Click on the appropriate species, and then click on the ESU or DPS to find the link to Federal Register notices. Links to the published rule containing PCEs for **critical habitat for species under the jurisdiction of the U.S. Fish and Wildlife Service** may be found at <http://www.fws.gov/endangered/federalregister/2004/index.html>. Use the SEARCH button to find the link to the species with critical habitat you are looking for, and then click on the scientific name of the species to find the link to Federal Register Documents.

The Federal Register may also be directly accessed at <http://www.gpoaccess.gov/fr/>.

How do I complete the analysis?

To complete the analysis, the project biologist should:

1. Identify the PCEs for critical habitat. For example, salmon critical habitat contains 6 PCE’s that should be addressed (70 FR 52630);
2. Identify which of the PCEs are present in the action area;
3. Describe the baseline or current condition of each PCE present;
4. Describe the effects of the action on each PCE; and
5. Provide the overall effect determination (no effect, may affect, but not likely to adversely affect, or likely to adversely affect) for critical habitat.

For example: Critical habitat for Puget Sound Chinook is located in the action area. The action area contains 3 of the 6 PCEs for salmon critical habitat. These are freshwater spawning sites, rearing sites, and a freshwater migration corridor. The biologist describes the location and status of spawning sites, and if and how the project will impact these areas. The analysis is conducted for the two remaining PCEs. Then, an effect determination is made for the critical habitat as a whole. For a “no effect” determination, none of the PCEs would be impacted by the project. And conversely, if one PCE were adversely impacted by the project, the effect determination for the critical habitat would be “likely to adversely affect”.